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SUBJECT: Reporting Cable: NINTH OECD WORKING GROUP ON WASTE
PREVENTION AND RECYCLING (WGPR), 20-22 SEPTEMBER 2006, PARIS
FRANCE

SUMMARY

The Working Group on Waste Prevention and Recycling (WGPR) met on September 20-22, in Paris. The group is developing a guidance manual on the environmentally sound management (ESM) of waste and revising a guidance manual for the Council Decision on the transboundary movements of waste. The group elected a new bureau and was briefed on ongoing work in sustainable materials management (SMM) as well as the development of Environmental Policy Committee's (EPOC) environmental outlook. The group approved new terms for the renewal of its mandate, agreed to changes to its waste list, adopted a proposal for prioritization of work in SMM, and agreed to an activities-based approach for the participation of non-Members in its activities. End Summary

AGENDA AND SUMMARY

¶1. The draft agenda (ENV/EPOC/WGPR/A(2006)1) was accepted without comment, as was the Summary Record of the Eighth Meeting.

AGENDA ITEM 3: ROUND TABLE DISCUSSION OF RECENT DEVELOPMENTS

¶2. Several countries including the US, gave brief synopses of newsworthy national items concerning waste prevention and recycling. The US presented information on the completion of the Cathode Ray Tube (CRT) Rule and implications for import/export of end-of-life CRTs as well as information on the proposed 'chat' rule which addresses the environmentally protective use of chat (a by-product of lead and zinc mining) in transportation projects. Discussion on the CRT Rule led to a request of the US by the European Commission

to provide a summary of activities (Federal and State) that address electronics waste. The US agreed to accommodate this request.

AGENDA ITEM 4:STATEMENT BY THE SECRETARIAT

13. The Secretariat (Tom Jones) summarized events undertaken recently or in planning stages within the OECD having relevance for the WGWPR. The EPOC agenda for the October meeting in Krakow will include discussion on the OECD Environmental Outlook, Non-member outreach, and planning for the Ministerial set for 2008. Delegates were encouraged to suggest items to be considered for the Ministers to address. EPOC is also likely to review all committees and groups in 2008 as a means of considering the overall direction of programs, including 'small programs' such as the WGWPR. Delegates were encouraged to consider voluntary contributions as a means of shoring up funding in a long-term manner to provide stability to the group's staff and programs. Germany and Switzerland proposed alternative approaches to shoring up funds including a formal letter from the Secretariat to Member countries as well as consideration of industry

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funding for certain work program items of interest, which was supported by Business and Industry Advisory Committee (BIAC) as a potential opportunity.

AGENDA ITEM 5: ELECTION OF THE BUREAU

14. Delegates were invited to vote on a proposal for a new Bureau. The US and Korea supported the proposal and the WGWPR subsequently agreed. Canada now Chairs the Bureau (formerly Spain) with Switzerland, Japan, Spain, and Belgium (replacing Hungary).

AGENDA ITEM 6: RENEWAL OF THE MANDATE AND TERMS OF REFERENCE FOR THE WGWPR

15. The Secretariat briefly summarized the amendments made to the Terms of Reference of the WGWPR, which largely concern the incorporation of a SMM component to the terms and also adjustments to extended producer responsibility (EPR) work to address a more general approach to product-related waste work instead of an approach strictly associated with EPR. The US and Korea specifically supported these improvements. Germany, Switzerland, and the European Commission proposed additional minor modification of the terms to include reference to taking into account social and economic implications of work in waste reduction. The Mandate and amended Terms of Reference for the WGWPR were subsequently adopted with minor modifications including extension of the Mandate to June 30, 2009.

AGENDA ITEM 7: TRANSBOUNDARY MOVEMENTS OF WASTE

16. The Secretariat gave an overview of the proposed revisions to the Guidance Manual for the Implementation of Council Decision C(2001)107/FINAL which includes updates resulting from Basel Convention COP6 and COP7 and changes agreed upon in past WGWPR meetings. The US approved revisions on the condition that two specific textual modifications are made: one referring to the Environmentally Sound Management of Waste (ESM) in connection with approvals for transboundary movements; and the other referring to the status of incomplete efforts to consolidate the OECD Council Acts. Switzerland raised another point that the manual currently does not provide guidance on what to do if a green list waste has hazardous properties and must be managed as hazardous waste. The issue was not resolved and will require further consideration for appropriate text changes. The Secretariat will incorporate proposed changes, including any changes, which may follow from the Basel Convention COP8 (Nairobi, November 06), and will submit the document for consideration by Delegates at the next WGWPR meeting. BIAC gave an oral presentation on the proposal for revision of the French translation of slag on the OECD lists of wastes. After interventions by France, Switzerland, Belgium, Canada, and Spain, delegates agreed to the change for immediate implementation rather than wait for a similar decision to take place at the Basel Convention COP8. Regarding the Interactive Database, the Secretariat gave a brief

status update on its functionality and Member submissions to date. Delegates were invited to submit comments by the end of October on how to improve the usability of the database.

AGENDA ITEM 8: ENVIRONMENTALLY SOUND MANAGEMENT OF WASTE

17. The Secretariat reported on the status of the Draft Guidance Manual for the Implementation of the Council Recommendation on ESM and gave an overview of changes made most recently in the Second Revision as a result of comments received. Canada and the US asserted the need for flexibility in the Manual and the further modification of text where prescriptive language remained. The US further asserted the need for flexibility in approach to best available techniques, the viability of self-certification of facility environmental management systems (EMSS), the need for additional guidance for facilities where implementation of all core performance elements (CPEs) is not appropriate or necessary, and cautioned against Guidance Manual interpretation going beyond Council Recommendation language or implying any legally binding obligation to implement or 'comply with' the Council Recommendation. Austria and the European Commission expressed opposing views, which required negotiation during the margins of the meeting to achieve acceptable draft language. Agreement was reached on most points. The Secretariat committed to incorporating new changes to the Manual with the aim of distributing a Third Revision by late October for Member country review. Delegates will be invited to submit comment on the Third Revision by January at which point the Secretariat will determine whether it is necessary to call the ESM Steering Committee to resolve remaining issues.

AGENDA ITEM 9: SUSTAINABLE MATERIALS MANAGEMENT

18. The Working Group on Environmental Information and Outlooks (WGEIO) Secretariat (Myriam Linster) presented a summary on the recent workshop on material flows accounting held in Rome, 16-17 May, and its potential relevance for SMM work. Subsequently, Belgium gave a status report on their inventory of international activities relevant to SMM, for the benefit of both the Flemish Public Waste Agency and the WGPR, noting the estimated cost to be 40k euros and the target date for completion of January 2007. The EC, Canada, and US expressed support for the existing scope and terms of reference for the inventory. Next, the Secretariat summarized the outline of the SMM methodological study for assessing environmental impacts. Member countries, including the US, Canada, EC and Belgium debated the merits of the 10 selected methodologies for study and agreed to expand the list only by one or two additions and to include some review of combinations of methodologies. The Secretariat invited written comments until September 30 and will

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call together the Steering Committee if guidance is necessary. Delegates heard presentations from the US, Belgium, Switzerland, Israel, Finland, Germany, Spain, and Chinese Taipei (ad hoc observer pending application for membership) on country experiences in SMM. The Secretariat then presented a proposal for prioritizing WGPR SMM work. Canada called for the removal of the annex defining natural capital appended to the SMM work program on the basis that it had not been agreed upon as part of the working definition for SMM. The US disagreed with proposed objectives referring to the development of harmonized policies for SMM; Belgium proposed alternative language. Delegates adopted the Secretariat's proposal for prioritization of SMM work with changes noted.

AGENDA ITEM 10: SECOND OECD ENVIRONMENT OUTLOOK

19. The Secretariat gave an overview of EPOC's efforts to prepare the next Environment Outlook for 2007 and presented key points of the draft section on waste and material flows. Belgium, Switzerland, Korea, US, Germany, Japan, E.C. Mexico, and Spain offered many comments and corrections to guide the development of the waste section including pointing out data inconsistencies, stressing the importance of municipal solid waste (MSW) management, calling for increased emphasis on waste prevention/reduction, and noting concern over trends speculation without adequate supporting data. Further, the US disagreed with report statements that there are no reliable data for hazardous waste within the OECD since the

US does have such reliable time-series data available for use and which do not support conclusions drawn in the report that hazardous waste generation is increasing significantly. The Secretariat was receptive to comments, invited written comments by October 15, and will revise the waste and material flows section for Member country comment and discussion at the next meeting.

AGENDA ITEM 11: PROGRAM OF WORK AND BUDGET (PWB)

¶10. The Secretariat gave a brief overview of the funding situation of the WGWPR and the work program outlined for 2007-2008. The US supported the PWB as presented and promised a voluntary contribution, amount unknown at this time, to be applied toward SMM and work on transboundary movements of waste. Korea, also supporting the PWB, pledged funding for SMM and transboundary movements, but questioned the value of potential development of waste-stream specific guidelines. European Commission, Canada, Japan, Finland, also supported the PWB and pledged funding for SMM. Canada noted that there has been no evident support for ESM waste-stream specific guidelines over the last three meetings and suggested its possible deletion from the PWB due to lack of support, but Delegates did not ultimately remove this item from the PWB.

AGENDA ITEM 12: PARTICIPATION OF NON-MEMBER COUNTRIES IN THE WORK OF THE WGWPR

¶11. In a confidential session of the WGWPR (not involving observers), the Secretariat gave a brief overview of the application for observership submitted by Chinese Taipei for consideration by the group. Also, Delegates were invited to consider prioritizing, in general, its preferred approach to incorporating the participation of non-Members into the work of the WGWPR. Delegates agreed on the following: non-Member involvement will be accepted as an 'activities-based relationship' only (i.e., participation in workshops and other activities, but not participation in meetings) until WGWPR chooses to change this approach; applications by non-Members will be seen and considered by the WGWPR; the bureau will decide the events in which applicants may participate; Chinese Taipei will not gain observership to the group but will be invited to participate in the SMM workshop to be held in late 2007; WGWPR may change its approach or decision with new information.

AGENDA ITEM 13: OTHER BUSINESS

¶12. The date of the next WGWPR meeting is April 25-27, 2007, in Paris. Also, December 2007 is tentatively being considered for the following meeting of the WGWPR to be held in Brussels in conjunction with the second workshop on Sustainable Materials Management.

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